

PLANNING AND ZONING COMMISSION
Monday, July 13, 2009 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon, Mr. Vasko and Mr. Wynkoop.

Approval of Minutes

Mr. Wynkoop made a motion to approve the minutes of the June 8, 2009 regular Commission meeting as presented. Dr. Konold seconded the motion.

VOTE: AYES: Christensen, Graber, Knowlton, Konold, Solomon, Vasko and Wynkoop
 NAYS:
 Motion Carried.

Mr. Knowlton made a motion to approve the minutes of the July 1, 2009 special Commission meeting as presented. Mr. Vasko seconded the motion.

VOTE: AYES: Christensen, Knowlton, Konold, Vasko and Wynkoop
 NAYS:
 ABSTAIN: Graber and Solomon
 Motion Carried

Public Comment - none.

Public Hearings

Item 1. Variance Application #VA-09-05 Property Owner and Applicant James Baltzer for property located at 6342 Streams End Drive, is requesting a variance to the Ashbrook Village Subdivision development standards for an addition to an existing garage in the side setback. Allan Neimayer, Planning & Zoning Administrator, gave the staff report. James Baltzer was present to answer questions from the Commission.

Mr. Baltzer spoke on the history of his truck issue with the Ashbrook Village Home Owners Association (HOA) and his reason for asking for the variance.

Mr. Knowlton asked about the roof of the addition. Mr. Baltzer said that the roof slopes towards Washington Street; it is a hip roof. Mr. Baltzer also played a recording from a recent HOA meeting, Lisa Brenner Dills, Managing Agent for the HOA, was speaking. Mr. Knowlton stated that he would like to see shingles on the roof instead of a metal roof.

Mr. Christensen opened the floor for public comments.

Alden Crase, 7769 Blue Ash Court, stated that a big truck would not fit in his garage either.

Mr. Vasko made a motion to close the public hearing. Mr. Wynkoop seconded the motion.

VOTE: AYES: Christensen, Graber, Knowlton, Konold, Solomon, Vasko and Wynkoop
 NAYS:
 Motion Carried.

Mr. Knowlton and Mr. Wynkoop both agreed that they would like to see elevation drawings.

Mr. Vasko stated that past variance requests have been denied and he is concerned with setting a precedent.

Dr. Konold said that he understands Mr. Vasko's concerns, but thinks that this is an opportunity to improve the west elevation look of the applicant's house. What the applicant has proposed is more aesthetically appealing than what is currently there.

Mr. Graber asked if the side yard was next to another house instead of the reserve would we be considering the variance. Mr. Knowlton stated then there is no issue; the answer would be no.

Ms. Solomon asked if it was next to a house than would the owner have to sell their truck?

Mr. Graber stated they had previous requests for homes that back to a reserve, but the Planning and Zoning Commission said no because of setting a precedent.

Mr. Graber asked the Chairman to hear the Applicant's comments. Mr. Baltzer said that he is here because of the HOA's direction to resolve the issue with his truck. The current view of the house is unappealing. That can be changed with this variance.

Mr. Knowlton asked what the width of the reserve is. According to GIS it is forty-five feet.

Mr. Graber asked Mr. Neimayer about site plan review process. Mr. Neimayer explained it would be a minor site plan review handled by staff since the addition is less than two thousand square feet. Gene Hollins, Village Attorney, stated that Planning and Zoning can add a condition to the variance approval to bring the site plan back to the Planning and Zoning Commission for review and approval.

Mr. Knowlton stated that if this is going to be the standard with the HOA, then maybe the Planning and Zoning Commission needs to write the HOA a letter explaining their issue and that maybe the HOA will revisit their issue with pickup trucks.

Dr. Konold made a motion to approve Application #VA-09-05 with the condition that sketches or architectural renderings be submitted to the Planning and Zoning Commission for approval. Mr. Knowlton seconded the motion.

VOTE: AYES: Knowlton, Konold and Solomon
 NAYS: Christensen, Graber, Vasko and Wynkoop
 Motion defeated.

Item 2. Variance Application #VA09-06 Property Owners and Applicants, Alden and Olla Crase for property located at 7769 Blue Ash Court, are requesting a variance to the Ashbrook Village Subdivision development standards to reduce the twenty five foot setback to twenty feet to allow for a twelve foot wide deck on the north side of the house. Mr. Neimayer gave the staff report. Alden Crase was present to answer questions from the Commission.

Mr. Crase explained a permitted seven foot wide deck is not practical for use with chairs, people and a grill. He stated that his yard is fenced in and the rear deck cannot be seen from the front of his house.

Mr. Christensen asked if Mr. Crase had considered a seven foot deck on the north side and making the deck on the east side wider. Mr. Crase said that he understands you can cantilever two feet of the setback, but the cost for supporting that two feet over a twenty five foot span is too expensive.

Mr. Christensen opened the floor for public comments.

Mr. Vasko made a motion to close the public hearing. Mr. Wynkoop seconded the motion.

VOTE: AYES: Christensen, Graber, Knowlton, Konold, Solomon, Vasko and Wynkoop
 NAYS:
 Motion Carried.

Mr. Wynkoop asked about the dimensions of the setback and the easement. Mr. Neimayer responded the submitted drawings did not scale out properly. That is why there is a discrepancy between that drawing and what was included in the packet and shown on the PowerPoint.

Mr. Knowlton made a motion to approve Application #VA-09-06 as presented. Dr. Konold seconded the motion.

VOTE: AYES: Knowlton and Konold
 NAYS: Christensen, Graber, Solomon, Vasko and Wynkoop
 Motion defeated.

New Business

1. Mike Davis presented a proposed lot split and variances for a new single family home. It is an 800 square foot Cape Cod house with an 800 square foot garage underneath. The property is located to the west of the Canal Cove Subdivision and to the east of Trine Street.

Mr. Knowlton asked about abutters comments. Mr. Davis said he spoke with several neighbors and has received positive verbal feedback. The current owner of the property, Howard Blosser, does not maintain the property. Mr. Davis has been taking care of it for him.

Mr. Graber inquired what variances would be involved. Mr. Neimayer stated lot size, setbacks and lot frontage variances would all be necessary. Mr. Vasko stated this would be an in-fill lot development.

Mr. Graber is concerned with the viability of selling Lot 39 in Canal Cove subdivision as it would back up to the proposed house.

Mr. Neimayer expressed his concern over the proposed lot split as it would leave a "new" nonconforming lot to the north. Mr. Davis stated that Mr. Blosser wants to keep that land as a

buffer to his house. Mr. Hollins stated a condition of the lot split could be that a portion of the property be combined with Mr. Blosser's house to avoid creating a non-conforming lot.

2. Jill Tangeman, attorney representing Swan Cleaners, about amending the Winchester Square signage text regarding wall signage. Mr. Neimayer introduced this item and gave a history of past discussion with the Planning and Zoning Commission. Mr. Neimayer had directed Jill Tangeman to look at having a new identification sign for the shopping center coming off Winchester Boulevard, but Casto is not interested in doing that.

Ms. Tangeman gave a presentation. Swan cleaners would like to have a fifty square foot sign on the east elevation facing Gender Road. The existing wall signage on the north elevation would be removed.

Mr. Vasko asked if the window sign on the north side would remain. Ms. Tangeman said yes.

Mr. Graber stated that last time Swan Cleaners was asking for additional signage square feet and the Planning and Zoning Commission had problems with that proposal. He does not have a problem with the current request.

Mr. Wynkoop said the Swan logo will still be inside and people will recognize it. Mr. Knowlton stated that he is ok with the current request. Mr. Christensen said that he does not like having a sign on the east elevation. Ms. Solomon stated that she is okay with the current request.

3. Discussion on a Zoning Map Amendment regarding multi-family sub-district designation. Scott Thompson and Bob Wood were in attendance. Mr. Neimayer explained the recent adoption by Council to create two sub-district designations (MF-A and MF-C). Now the Zoning Map needs to be amended to reflect those sub-district designations. Mr. Thompson and Mr. Wood were invited for this discussion as their respective multi-family zoned properties are currently undeveloped. The other multi-family zoned properties are developed as either apartments or condominiums.

Mr. Wood feels the AR-1 zoning should be grandfathered in for his property leaving the option of either apartments or condominiums. His AR-1 zoning already have several conditions to it. The market will ultimately determine how he will develop the property.

Mr. Thompson asked why there was a zoning code change. Mr. Hollins stated it was initiated by Council to create the two sub-districts. Now the Zoning Map needs to be amended to reflect the Zoning Code amendment.

Mr. Thompson wanted to know why the increase in unit size. Mr. Neimayer responded that it was an average from actual multi-family developments in the village in recent years.

Mr. Thompson and Mr. Wood raised concerns of not hearing about this zoning change until last week.

The Commission continued with a discussion on putting their respective properties into a planned district. Mr. Wood stated that he already has a zoning text under AR-1 zoning. There was also a discussion that a zoning text can be developed for Mr. Thompson's property, which could remove the need for possible variances when the property is developed.

4. Presentation and comments on the multi-purpose path. Chris Strayer, Development Director, spoke on this and asked for comments for the Planning and Zoning Commission. The map will

be included in the thoroughfare plan update that will be presented to Planning and Zoning Commission in the near future.

Planning and Zoning Administrator's Report

Proposed Rules Amendment: Mr. Neimayer reviewed the two amendments based on discussion at the July 1, 2009 special Planning and Zoning Commission meeting. Mr. Knowlton made a motion to approve the two amendments as presented. Mr. Wynkoop seconded the motion.

VOTE: AYES: Christensen, Graber, Knowlton, Konold, Solomon, Vasko and Wynkoop
NAYS:
Motion Carried.

Old Business

Mr. Vasko inquired about the tow away lot next to the former concrete plant off of High Street. Mr. Neimayer said that he will review the file on this.

Mr. Knowlton commented about the trash at 93 – 95 Hocking Street.

Mr. Vasko asked about the sandwich board signs. Mr. Neimayer reported that Brian Zetts is reviewing the current Chapter 1189 Signs and is waiting for his comments. Mr. Hollins said that he would check with Mr. Zetts on the status.

Adjourn to Executive Session

Mr. Wynkoop made a motion to go into executive session. Mr. Knowlton seconded the motion.

VOTE: AYES: Christensen, Graber, Knowlton, Konold, Solomon, Vasko and Wynkoop
NAYS:
Motion Carried.

Time out 9:45 p.m.

Time in 9:55 p.m.

Adjournment

Mr. Knowlton made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Vasko seconded the motion.

VOTE: AYES: Christensen, Graber, Knowlton, Konold, Solomon, Vasko and Wynkoop
NAYS:
Motion Carried.

Time Out: 9:56 p.m.

Date _____

Bill Christensen, Chairman

Jeff Graber, Secretary

NOTE: The minutes set forth herein are an extract of the Planning and Zoning Commission meeting. Anyone desiring a transcript of the complete minutes of the Planning and Zoning Commission meeting may obtain the same at a cost of \$10.00 per page.